

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 24806 of 2004

Between:

B.K.M. Rao, E-502396, Driver,
S/o. Sri Ramulu, aged 47 years,

R/o. Vijayawada, Krishna Distirct.

..... PETITIONER

AND

1 The A.P.S.R.T.C. Rep by its Managing Director,

Musheerabad, Hyderabad.

2 The Regional Manager, A.P.S.R.T.C. Krishna Region,

Krishna District, at Vijayawada

3 The Depot Manager, APSRTC, Vijayawada Depot,

Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents herein in not granting the selection grade scale/stagnation increments to the petitioner on completion of 12 years service is illegal, unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to add the stagnation increment to the petitioner on completion of 12 years of service irrespective of their transfer from the date of initial appointment and to pay the arrears by refixing the pay of the petitioner forthwith.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondents: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court at the stage of admission made the following:

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ORDER:

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In not granting the selection grade scale stagnation increment to the petitioner on completion of 12 years service, the present writ petition is filed.

The petitioner is working as a Driver in the respondent Corporation. He contends that after completion of 12 years of successful service in the category of Driver, he is entitled for Selection Grade Stagnation increment, which has already remained due from 01.05.1989.

The grievance of the petitioner is that the respondents did not take any steps to release the Special Grade Stagnation increment to the petitioner. Therefore, he approached this Court seeking direction to the respondents to pass appropriate orders regarding the Selection Grade Stagnation increment to him.

The Respondents did not deny the eligibility of the petitioner who has completed 12 years of continuous service for the Selection Grade Stagnation increment.

In the light of the circumstances, the respondents are directed to pass appropriate orders regarding the release of the Selection Grade Scale Stagnation increment to the petitioner, keeping in view the Judgment of a Division Bench of this Court in Writ Appeal No.1301 of 2000 dated 29.10.2002, within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioner.

4. The Writ Petition is, accordingly, disposed of. No order

as to costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Managing Director, APSRTC,
Musheerabad, Hyderabad

2. The Regional Manager, APSRTC,
Krishna Region, Krishna District at Vijayawada

3. The Depot Manager, APSRTC,
Vijayawada Depot, Krishna District

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